

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2021-0071

BOA DATE: July 12th, 2021

ADDRESS: 902 Herndon Ln

COUNCIL DISTRICT: 3

OWNER: Susan Hays

AGENT: N/A

ZONING: SF-3

LEGAL DESCRIPTION: LOT 11 BLK B LA PERLA

VARIANCE REQUEST: decrease the minimum Rear Yard Setback from 10 feet (required) to 5 feet **and** location which requires an Accessory Dwelling Unit to be located at least 10 feet to the rear or side of the principal structure, to 8 feet from the principal structure.

SUMMARY: erect an Accessory Dwelling

ISSUES: amount and location of trees on lot

| | ZONING | LAND USES |
|--------------|---------------|---------------------------|
| <i>Site</i> | SF-3 | Single-Family residential |
| <i>North</i> | SF-3 | Single-Family residential |
| <i>South</i> | SF-3 | Single-Family residential |
| <i>East</i> | SF-3 | Single-Family residential |
| <i>West</i> | SF-3 | Single-Family residential |

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Friends of Austin Neighborhoods
 Galindo Area Patriotic People's Porch
 Galindo Elementary Neighborhood Assn.
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Perry Grid 614
 Preservation Austin
 SELTexas
 Sierra Club, Austin Regional Group
 South Central Coalition

D-8/2



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2021-0071

LOCATION: 902 HERNDON LANE



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 292'



Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)
For submittal and fee information, see austintexas.gov/digitaldevelopment

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

For Office Use Only

Case # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 902 Herndon Lane, Austin, Texas 78704

Subdivision Legal Description:

LA PERLA

Lot(s): 11 Block(s): B

Outlot: _____ Division: _____

Zoning District: SF-3

I/We Susan Hays on behalf of myself/ourselves as

authorized agent for _____ affirm that on

Month June, Day 9, Year 2021, hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☒ Other: _____

Type of Structure: Replace rotted garage with altered footprint/2 story habitable structure

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

1. Land Development Code Sec. 25-2-492 Site Development Regulations for a rear yard setback of 10' (required) to 5' for new 2-story structure on approximate footprint of existing & original garage; and 2. to the extent applicable Land Development Code 25-2-774 Two-Family Residential Use for 10' distance between main and secondary structure (required) to approx. 8'

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

This and surrounding properties were originally developed with a 5' rather than 10' rear setback. Given the placement of trees on the lot, the existing home was constructed toward the back of the lot. Given the placement of a 24" live oak and the main house, replacing the subject structure with a 10' setback is unreasonable. Further, to the extent 25-2-774 applies, the existing placement is less than 10' and the proposed altered footprint would increase the distance closer to 10'.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

The large amount and placement of trees on the lot limit the ability to replace the deteriorated structure in a usable fashion. The design alters the original footprint in order to make more space for a 24" live oak as well as smaller trees on the north and east sides of the structure. The homeowner wishes to preserve not only the protected trees but all trees on the property.

b) The hardship is not general to the area in which the property is located because:

The amount and location of the trees are unique to this property.

Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The placement and design of the structure is in keeping with the original development of the neighborhood as secondary structures were built with a 5' rear set back in the 1950s. The three adjacent properties all have back structures positioned approximately 5' from their respective back property lines (see attached). The design of the rebuild accomodates privacy of surrounding homeowners by placing windows high on the north wall and orientating the structure around a courtyard focused on the 24" live oak.

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature:  Digitally signed by Susan Hays
Date: 2021.06.09 18:39:39 -05'00' Date: 06/09/2021

Applicant Name (typed or printed): Susan Hays

Applicant Mailing Address: 902 Herndon Lane

City: Austin State: Texas Zip: 78704

Phone (will be public information): (214) 557-4819

Email (optional – will be public information): [REDACTED]

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature:  Digitally signed by Susan Hays
Date: 2021.06.09 18:39:51 -05'00' Date: 06/09/2021

Owner Name (typed or printed): Susan Hays

Owner Mailing Address: 902 Herndon Lane

City: Austin State: Texas Zip: 78704

Phone (will be public information): (214) 557-4819

Email (optional – will be public information): [REDACTED]

Section 5: Agent Information

Agent Name: N/A

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

NOTE: This variance was approved in January 2019 in Case #C-15-2019-001 but had expired.
(Decision Sheet attached).

More on Section 2 Reasonable Use: The property's washer & dryer are in the existing rotted

Additional Space (continued)

garage, have no sewer connection, and was damaged in the February deep freeze. The small size of the house (892 sq ft) surrounded by trees leaves no space to expand the house to add a properly plumbed and insulated utility room or additional bathroom without having a negative impact on parking or other amenities.

This property has thirteen trees, three of which are over 19" diameter and are thus protected, including a 24" live oak between the main house and existing garage. In addition there are four 18" (near protected size) live oaks on the property.

Please note that since the attached 2014 tree survey was made a storm severely damaged "T14", a 19" invasive species (Chinese parasol) which had to be removed. See 2015-131984-TP. The loss of this tree allowed the owner to adjust the footprint of the structure to the west to give the 24" live oak's CRZ more space. The owner also opted to adjust the structure footprint so that the leaning-slightly-to-the-west trunk of the tree has more clearance, giving the structure the appearance of a tree house.

Area Character. As the Property Profile does not accurately show the placement of the buildings on the property behind 902 Herndon (2507 South 5th) and to the west (2509 South 5th), annotated plats are attached. As for the property to the east (900 Herndon) the placement of the closest structure is noted on the attached tree survey. Each of these surrounding properties were originally designed to have structures within 10' of the rear lot lines. Thus, a variance of the 10' set back for this property is in keeping with the character of the area.

NOTE: Out of an abundance of caution, this request asks for a variance of the 10' distance between a main and secondary dwelling unit under Sec. 25-2-774 although it is unclear to the applicant whether the proposed bedroom/bathroom/utility room is a "dwelling unit" as it has no provisions for cooking or eating. See Section 25-1-21(38). The adjusted footprint of the structure increases the distance between it and the main house from 5' to approximately 8'.

Attachments:

Jan. 14, 2019 Decision Sheet, Case No. C15-2019-0001

1:1200 Scale Property Profile with structure size and placement

Survey of 902 Herndon Lane with tree placement

Site Plan showing existing and proposed footprint

Annotated site plan of 2507 South 5th for exact building placement

Annotated site plan of 2509 South 5th for exact building placement

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday January 14, 2019

CASE NUMBER: C15-2019-0001

| | | |
|-------------------------------------|---|-----------------------------|
| <input checked="" type="checkbox"/> | Y | Brooke Bailey |
| <input checked="" type="checkbox"/> | Y | William Burkhardt |
| <input checked="" type="checkbox"/> | Y | Christopher Covo |
| <input checked="" type="checkbox"/> | Y | Eric Golf |
| <input checked="" type="checkbox"/> | Y | Melissa Hawthorne |
| <input checked="" type="checkbox"/> | Y | Bryan King |
| <input checked="" type="checkbox"/> | Y | Don Leighton-Burwell |
| <input checked="" type="checkbox"/> | Y | Rahm McDaniel |
| <input type="checkbox"/> | - | Martha Gonzalez (Alternate) |
| <input checked="" type="checkbox"/> | Y | Veronica Rivera |
| <input checked="" type="checkbox"/> | Y | James Valdez |
| <input type="checkbox"/> | - | Michael Von Ohlen OUT |
| <input checked="" type="checkbox"/> | Y | Kelly Blume (Alternate) MVO |
| <input type="checkbox"/> | - | Ada Corral (Alternate) |

OWNER/APPLICANT: Susan Hays

ADDRESS: 902 HERNDON LN

VARIANCE REQUESTED: The applicant has requested variance(s) to:

A. Section 25-2-492 (D) to decrease the minimum rear setback from 10 feet (required) to 5 feet (requested, existing); and to

B. Section 25-2-774 (Two-Family Residential Use) (C) (2) to decrease the distance a second dwelling unit must be located from at least 10 feet to the rear or side of the principal structure (required) to 5 feet (requested)

in order to reconstruct a garage with a second dwelling unit above in an "SF-3", Family Residence zoning district..

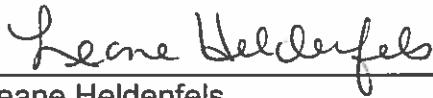
BOARD'S DECISION: BOA meeting Jan 14, 2019 The public hearing was closed on Board Member Melissa Hawthorne motion to Grant, Board Member Christopher Covo second on an 11-0 vote; GRANTED REAR SETBACK TO 9'6".
EXPIRATION DATE: January 14, 2020

FINDING:

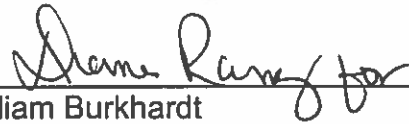
1. The Zoning regulations applicable to the property do not allow for a reasonable use because: as it's an older subdivision set up with 5 foot setback with existing large trees, to replace an existing structure in 5ft setback is reasonable.

2. (a) The hardship for which the variance is requested is unique to the property in that:
tree care and placement of trees and structures, trying to have a reasonable space

(b) The hardship is not general to the area in which the property is located because:
large heritage trees is on site in their care
3. The variance will not alter the character of the area adjacent to the property, will not
impair the use of adjacent conforming property, and will not impair the purpose of
the regulations of the zoning district in which the property is located because:
replacing an existing structure in a heavily tree lot and it is in scale with neighboring
property



Leane Heldenfels
Executive Liaison



William Burkhardt
Chairman



Property Profile

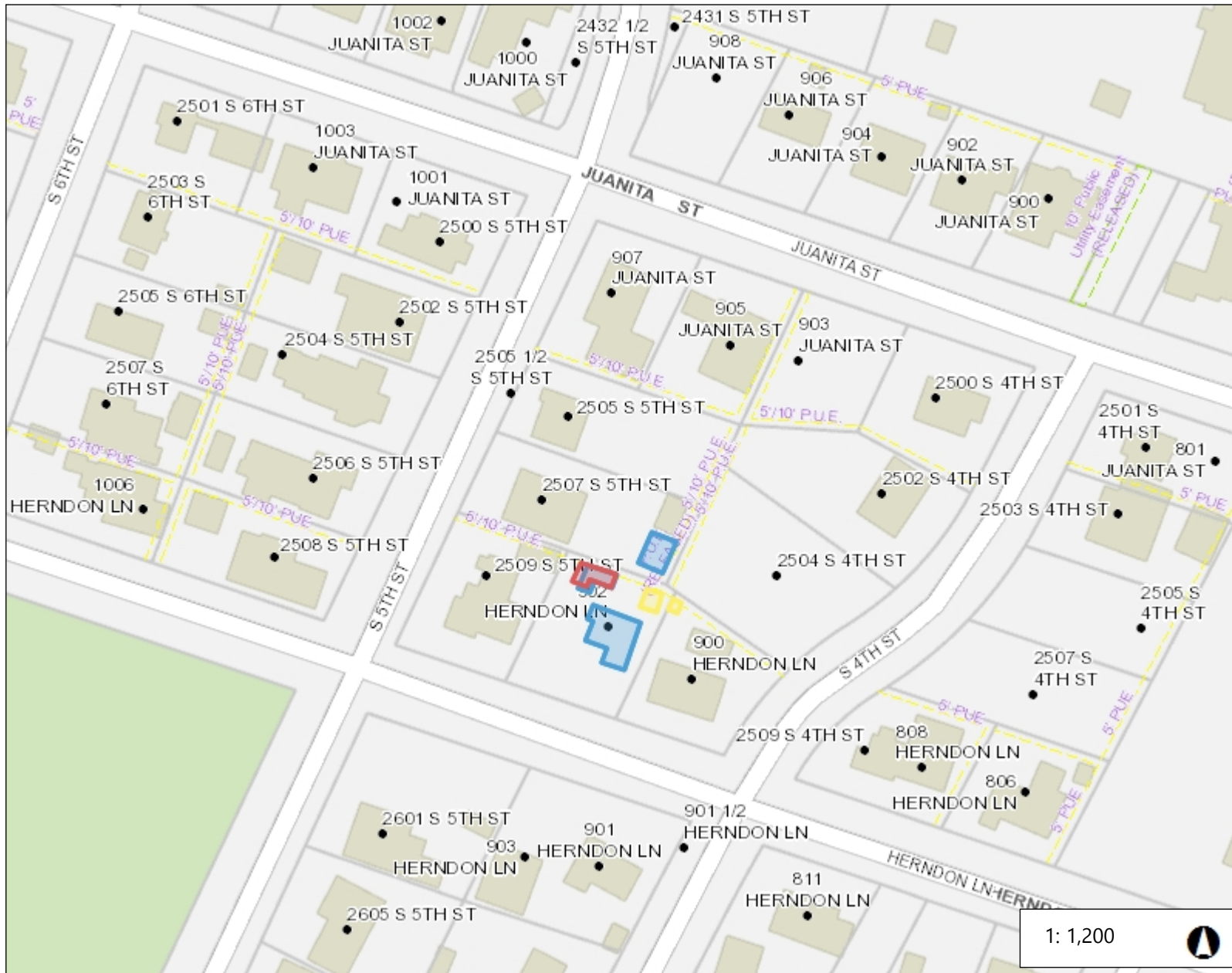
D-8/10

Legend

- Addresses
- Street Labels
- Easement Annotation
- Easement Lines

- UNKNOWN
- DEDICATED
- PROPOSED
- RELEASED

Blue boxes are existing buildings not visible on map software.
Yellow boxes are existing sheds.
Red is the proposed change in footprint of the back structure.



0.0 0 0.02 0.0 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

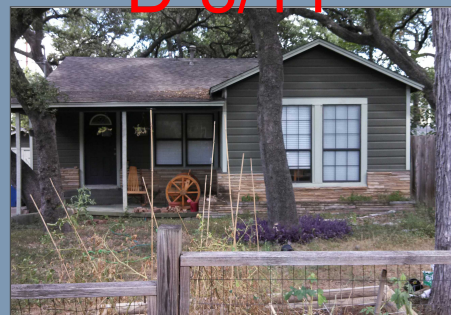
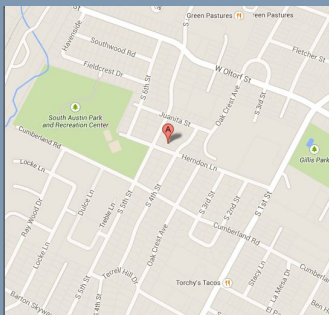
Notes

902 Herndon Lane

PREPARED BY:



www.exacta365.com
P. 281.763.7766 - F. 281.763.7767
250 W. Oak Loop, Cedar Creek, TX 78612



PROPERTY ADDRESS: 902 HERNDON LANE AUSTIN, TEXAS 78704

SURVEY NUMBER: 1408.2630

FIELD WORK DATE: 9/3/2014

REVISION DATE(S): (REV.1 9/5/2014)

1408.2630
BOUNDARY SURVEY
TRAVIS COUNTY

NOTE:
1.) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. ADDITIONALLY, THE UNDERSIGNED DID NOT PERFORM A SEARCH, FOR EASEMENTS OR SETBACKS THAT MAY AFFECT THIS PROPERTY.

TREE TABLE:

| | | |
|-----|---|---------------|
| T1 | - | 20" CEDAR ELM |
| T2 | - | 18" OAK |
| T3 | - | 18" OAK |
| T4 | - | 16" OAK |
| T5 | - | 24" OAK |
| T6 | - | 18" OAK |
| T7 | - | 7" PECAN |
| T8 | - | 15" OAK |
| T9 | - | 15" OAK |
| T10 | - | 15" OAK |
| T11 | - | 14" OAK |
| T12 | - | 24" OAK |
| T13 | - | 18" OAK |
| T14 | - | 19" UNKNOWN |

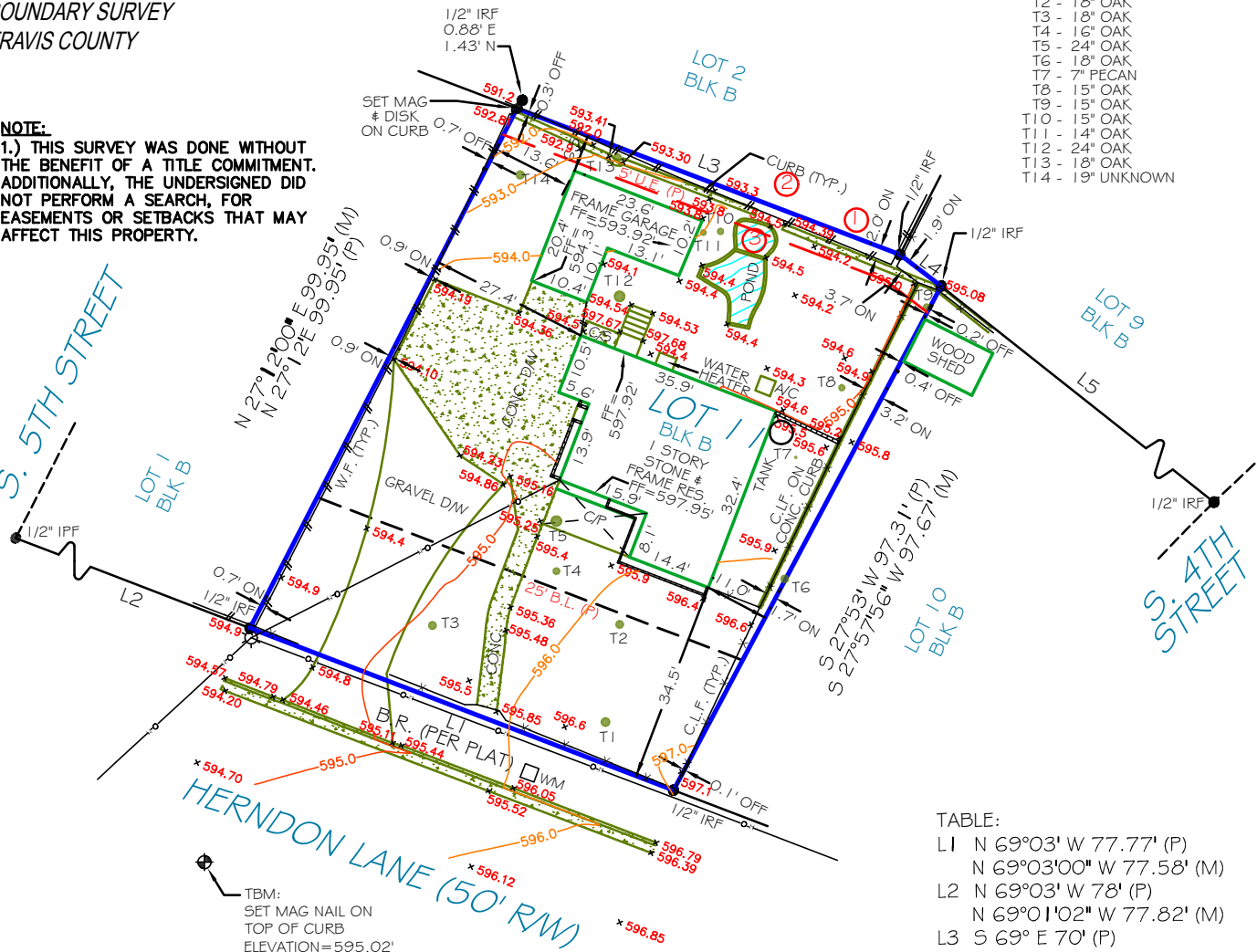
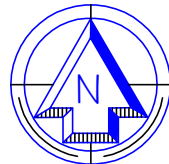
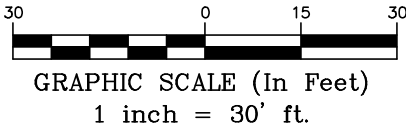
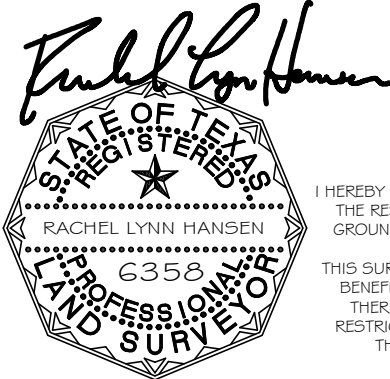


TABLE:

| | |
|----|--------------------------|
| L1 | N 69°03' W 77.77' (P) |
| | N 69°03'00" W 77.58' (M) |
| L2 | N 69°03' W 78' (P) |
| | N 69°01'02" W 77.82' (M) |
| L3 | S 69° E 70' (P) |
| | S 69°07'25" E 70.14' (M) |
| L4 | S 51°42' E 9.06' (P) |
| | S 52°37'46" E 8.86' (M) |
| L5 | S 51°42' E 93' (P) |
| | S 51°37'28" E 93.00' (M) |

NOTES:
FENCE OWNERSHIP NOT DETERMINED
THE ELEVATIONS SHOWN HEREON WERE OBTAINED USING GPS IN CONJUNCTION WITH GEONET RTK, GPS/GNSS NETWORK

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON THE 3RD DAY OF SEPTEMBER 2014.
THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT, THEREFORE, THERE MAY BE EASEMENTS OR OTHER RESTRICTIONS AFFECTING THIS PROPERTY THAT ARE NOT SHOWN HEREON.



Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.
Nothing hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

FLOOD INFORMATION:
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF AUSTIN, COMMUNITY NUMBER 480624, DATED 09/26/08.

POINTS OF INTEREST
(1) FENCES OVER 5' UTILITY EASEMENT (2) CURB OVER 5' UTILITY EASEMENT (3) POND OVER 5' UTILITY EASEMENT

CLIENT NUMBER: DATE: 9/5/2014

BUYER:

SELLER:

CERTIFIED TO: CAPSTONE TITLE

This is page 1 of 2 and is not valid without all pages.

EXACTA Your Exacta Contact
Laura Paredes Caffey Director of Sales
Laura@Exacta365.com www.exacta365.com



LB# 10193731
www.exacta365.com
P. 281.763.7766
F. 281.763.7767
250 W. Oak Loop
Cedar Creek, TX 78612

LEGAL DESCRIPTION:

LOT 11, BLOCK B, LA PERLA, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 4, PAGE 273, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

JOB SPECIFIC SURVEYOR NOTES:

THE BEARING REFERENCE OF NORTH 69 DEGREES 03 MINUTES 00 SECONDS WEST IS BASED ON THE SOUTHERLY PROPERTY LINE OF LOT 11, BLOCK B, LA PERLA, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 4, PAGE 273, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

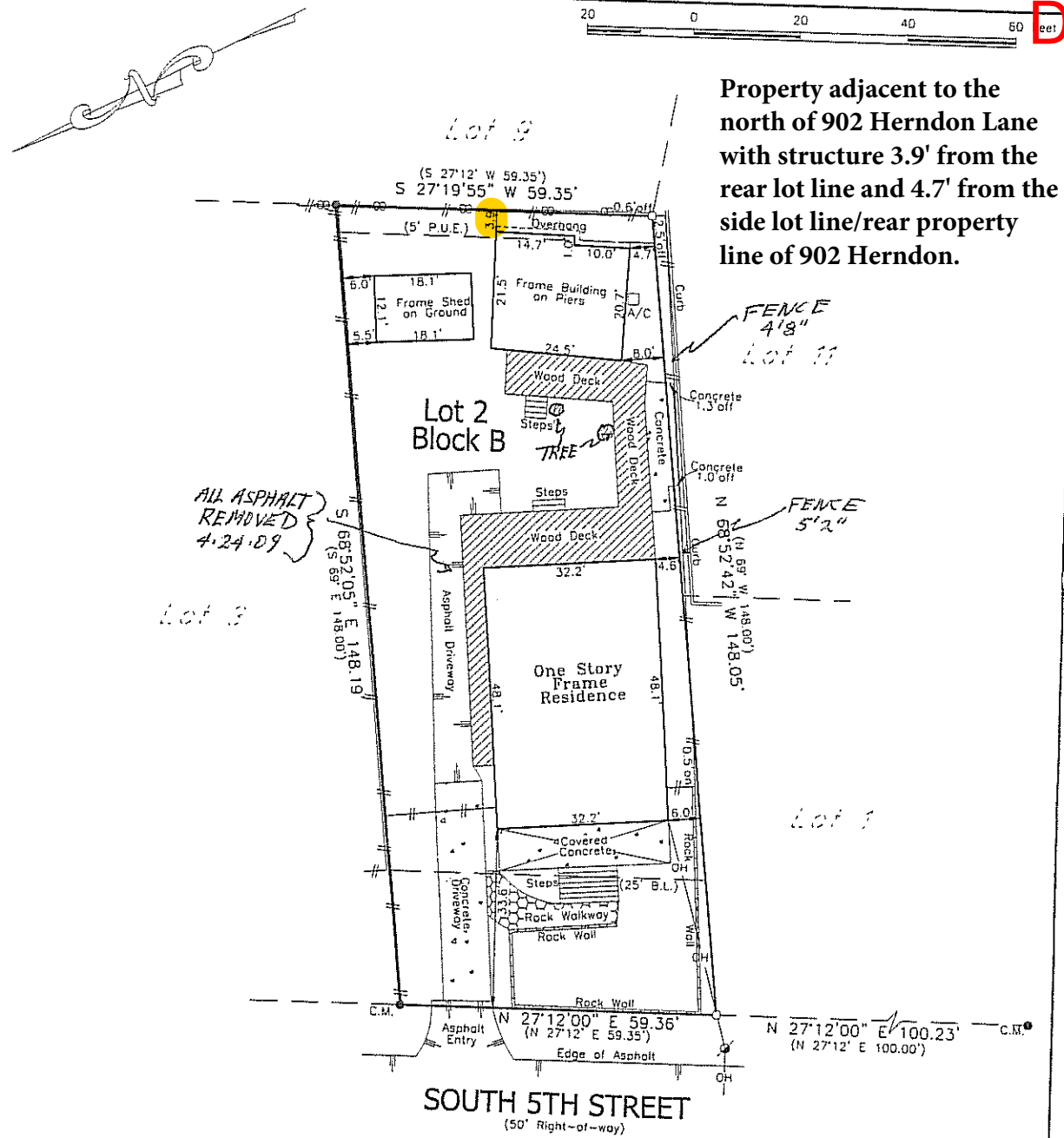
GENERAL SURVEYOR NOTES:

1. The Legal description used to perform this survey was supplied by others. This survey does not determine or imply ownership.
2. Due to varying construction standards, house dimensions are approximate.
3. This survey is exclusively for the use of the parties to whom it is certified. It is not transferable to additional institutions or subsequent owners.
4. This property subject to any and all recorded and unrecorded easements. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants or ownership title evidence.
5. Surveying services performed by the Austin branch of Exacta Texas Surveyors, Inc., 250 W. Oak Loop, Cedar Creek, TX 78612
6. If there is a septic tank, well or drain field on this survey, the location of such items was showed to us by others and are not verified.
7. Any additions or deletions of this 2 page survey document are strictly prohibited. Use of this survey beyond the purpose of the transfer of title without written authorization of the signing surveyor is prohibited.
8. Any FEMA flood zone data contained on this survey if for informational purposes only. Research to obtain such data was performed at www.fema.gov
9. Dimensions are in feet and decimals thereof.
10. All pins marked as set are 1/2 diameter, 18" iron rebar.
11. This survey only shows improvements found above ground. Underground footings, utilities and encroachments are not located on this survey map.
12. The information contained on this survey has been performed exclusively, and is the sole responsibility, of Exacta Surveyors. Additional logos or references to third party firms are for informational purposes only.
13. Points of Interest (POI's) are selected above- ground improvements which may be in conflict with boundary, building setbacks or easement lines, as defined by the parameters of this survey. There may be additional POI's which are not shown, not called-out as POI's, or which are otherwise unknown to the surveyor . These POI's may not represent all items of interest to the viewer.
15. House measurements should not be used for new construction or planning. Measurements should be verified prior to such activity.

LEGEND:

SURVEYOR'S LEGEND

| | | | | | | | | | |
|-------------------------------------|--|-----------|--|--------|--|--------|--|-----------------------|--|
| LINETYPES: (UNLESS OTHERWISE NOTED) | | A/C | | ID. | | SEC. | | SECTION | |
| BOUNDARY LINE | | B.R. | | ILL. | | SEF. | | SEPTIC TANK | |
| STRUCTURE | | B.C. | | INST. | | SEW. | | SEWER | |
| CENTERLINE | | B.F.P. | | INT. | | SIGD | | SET GLUE DISC | |
| CHAIN-LINK or WIRE FENCE | | BLK. | | L | | SIRC | | SET IRON ROD & CAP | |
| EASEMENT | | BLDG. | | LB# | | SIND | | SET NAIL & DISC | |
| EDGE OF WATER | | BM | | LS# | | SQ.FT. | | SQUARE FEET | |
| IRON FENCE | | B.R.L. | | (M) | | STY. | | STORY | |
| OVERHEAD LINES | | BSMT. | | M.B. | | S.T.L. | | SURVEY TIE LINE | |
| SURVEY TIE LINE | | BW | | M.E.S. | | SV | | SEWER VALVE | |
| WALL OR PARTY WALL | | (C) | | M.F. | | SW | | SIDEWALK | |
| WOOD FENCE | | C | | N.R. | | S.W. | | SEAWALL | |
| VINYL FENCE | | CATV | | N.T.S. | | TBM | | TEMPORARY BENCHMARK | |
| | | C.B. | | O.C.S. | | TEL. | | TELEPHONE FACILITIES | |
| | | CHIM. | | O.G. | | T.O.B. | | TOP OF BANK | |
| | | C.L.F. | | OFF | | TWP. | | TOWNSHIP | |
| | | CLEAN OUT | | OH. | | TX | | TRANSFORMER | |
| | | CONC. | | OHL | | TYP. | | TYPICAL | |
| | | COR. | | ON | | U.R. | | UTILITY RISER | |
| | | CSW | | O.R.B. | | W/C | | WITNESS CORNER | |
| | | C.V.G. | | O.R.V. | | W/F | | WATER FILTER | |
| | | CL | | O/A | | W/W | | WOODEN FENCE | |
| | | CF | | O/S | | WM | | WATER METER/VALVE BOX | |
| | | CS | | (P) | | WV | | WATER VALVE | |
| | | D | | P.B. | | V.F. | | VINYL FENCE | |
| | | D.F. | | P.C. | | | | | |
| | | DW | | P.C.C. | | | | | |
| | | ELEV. | | P.C.P. | | | | | |
| | | ENCL. | | P/E | | | | | |
| | | ENT. | | PG. | | | | | |
| | | EM | | P.I. | | | | | |
| | | E.O.P. | | PLS | | | | | |
| | | E.O.W. | | PLT | | | | | |
| | | EUB | | P.O.B. | | | | | |
| | | (F) | | P.O.C. | | | | | |
| | | FCM | | P.F. | | | | | |
| | | FDH | | P.R.C. | | | | | |
| | | F.F. | | P.R.M. | | | | | |
| | | FIP | | PSM | | | | | |
| | | FIPC | | | | | | | |
| | | FIR | | | | | | | |
| | | FIRC | | | | | | | |
| | | FIN | | | | | | | |
| | | FIND | | | | | | | |
| | | FND | | | | | | | |
| | | FPKN | | | | | | | |
| | | FRKND | | | | | | | |
| | | FRSPK | | | | | | | |
| | | GAR. | | | | | | | |
| | | GM | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |



Property adjacent to the north of 902 Herndon Lane with structure 3.9' from the rear lot line and 4.7' from the side lot line/rear property line of 902 Herndon.

ALL ASPHALT REMOVED 4.24.09

FENCE 4'8" Lot 11

FENCE 5'2"

Lot 4

SOUTH 5TH STREET
(50' Right-of-Way)

(Bearing Basis C.M. to C.M.)
N 27°12'00" E 159.59' (159.35')

SUBDIVISION LA PERLA
LOT: 2 BLOCK: B VOLUME 4 PAGE 273
COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 2507 S. 5TH STREET PLAT RECORDS
CITY: AUSTIN REFERENCE NAME ARTHUR J. & ELLENOR H. LINK



Dewey H. Burris & Associates, Inc.
Land Surveying Services

1404 West North Loop Blvd. 512-458-6969
Austin, Texas 78756 Fax 512-458-9849



THIS AREA IS NOT DEPICTED AS BEING IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP 0585 H DATED 9-26-08. IT IS REPRESENTED AS IN ZONE X. HOWEVER AT PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED AND INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED BY SAID MAP AND DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOOD DAMAGE. FOR FURTHER INFORMATION CONTACT YOUR FLOOD PLAIN ADMINISTRATOR.

TO THE LIENHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED

IMPORTANT NOTICE
This Survey was prepared without the benefit of a title commitment. There may be additional setback lines, easements and interests which are relevant to this property and unknown to Dewey H. Burris & Assoc., at the time of this survey. Therefore those are not depicted on this survey.

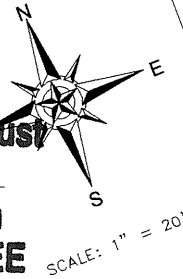
DATE 04/08/09
JOB # R0400309_TA
SCALE 1"= 20'

| CHERYL_TBLK | | |
|--------------|------|----------|
| FIELD WORK | T.K. | 04/08/09 |
| CALCULATIONS | JACK | 04/08/09 |
| DRAFTING | JACK | 04/08/09 |
| FINAL CHECK | M.L. | 04/08/09 |
| CORRECTIONS | JACK | 04/08/09 |
| UP DATE | | |

- LEGEND**
- 1/2" REBAR FOUND
 - 1/2" REBAR SET
 - CHAIN LINK FENCE
 - WOOD FENCE
 - B.L. BUILDING LINE
 - P.U.E. PUBLIC UTILITY EASEMENT
 - P.R. PLAT
 - POWER POLE
 - OVERHEAD UTILITIES
 - C.M. CONTROL MONUMENT

Property to the west of 902 Herndon with original garage 4' 3 1/2" from its rear lot line.

The dripline of protected trees (19" dia. or greater measured at 4.5' above grade), must be enclosed with protective fencing before and throughout construction. No tree measuring 19" in diameter (or greater) may be removed without a TREE ORDINANCE REVIEW from the City of Austin. Call the Development Assistance Center for review: 974-6370.



PLOT PLAN - 2507 S. 5th ST.
1" = 20'-0"

LINE

LINE
EASEMENT
LINE

SOUTH 5th STREET
(50' R.O.W.)
27°12'00" E 100.00'

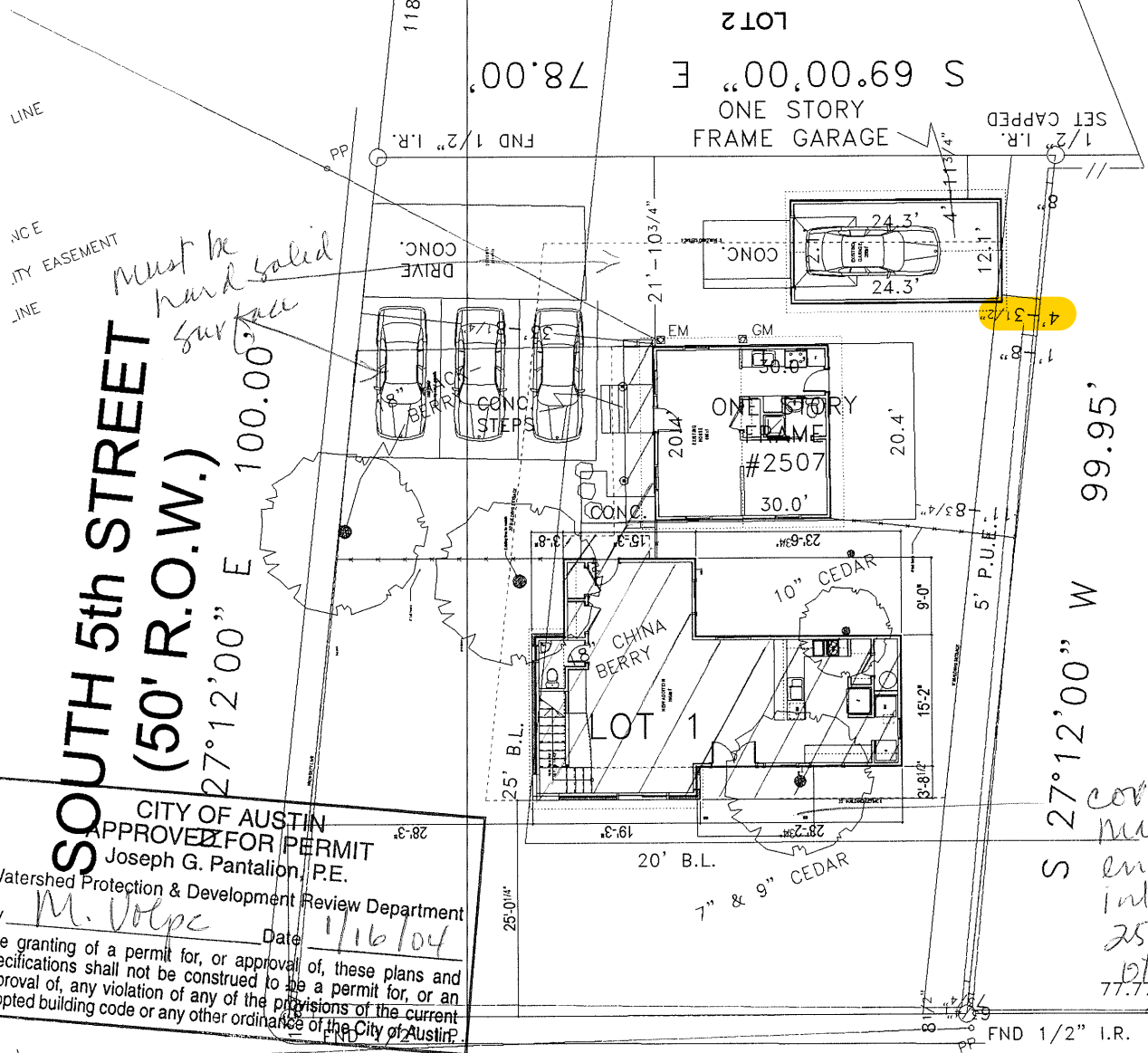
Must be hard solid surface

CITY OF AUSTIN
APPROVED FOR PERMIT
Joseph G. Pantaloni, P.E.
Watershed Protection & Development Review Department
By M. Volpe Date 1/16/04
The granting of a permit for, or approval of, these plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

N 69°03'00" W 78.00'

HERNDON LANE
(50' R.O.W.)

PLEASE NOTE: FOR EXACT DETERMINATION OF COMMITMENT REFER TO THE CITY OF AUSTIN



2021-000057BA

902 Herndon Lane

**Background Explanation and Summary:
(Rendering and Draft Plans attached)**

I live in a live oak forest. There are 13 trees covering my approximately 7500 sq ft lot. Google Earth cannot see my house from the extensive tree canopy — a feature I love and wish to keep. This portion of the Galindo neighborhood was originally developed in the early 1950s. The original homes are very small (less than 1000 sq ft) and were often built with garages or back houses very close to the back property line. My house is the original home, built in 1951, expanded twice over the years yet still is barely 900 sq ft with two bedrooms, one bathroom, and very little storage. The only utility space is an extension to the original 1950s garage which has a washer/dryer, but no sewage line but lots of spiders and dirt. The garage was built (or sank) below grade. When it rains, water pours into it resulting in extensive rotting of the wood walls. When I purchased this property in 2013, I intended to renovate the garage to install proper plumbing, HVAC it, and provide more living space — including a second bathroom — for the property. But because of its rotted condition and drainage issues, it could not be repaired.

The trees have grown up around the property over the last sixty years and now surround the house tightly on three sides, with two protected (19"+) trees, one six feet from the front door growing out of the porch at an angle (the "Front Porch Tree") and one less than a foot from the existing back stoop between the house and the garage (the "Back Porch Tree"). There are four other trees around the property with an 18" diameter (just under the threshold for protected status). Regardless of size, I wish to protect all the trees and accommodate both their root zones and canopies with any repairs and improvements to the property. I have consulted with the city arborist's office multiple times both before and after I bought the property on how to best accommodate the trees as I repair and improve the property. The roots of the Front Porch Tree cracked the front porch extensively and were leveraging on the house itself. Rather than remove the tree, I replaced the concrete slab porch with a decking using "diamond piers" as recommended by the arborist.

The proposed renovation would replace the garage space with a utility room with proper plumbing, a second bathroom, and an additional living space. Because there is adequate space under the tree canopy to add a second story, the design includes one to serve as an office, with decking and stairs built around the Back Porch Tree like a tree house — incorporating the unique features of the lot. After my initial plans were drafted which overlapped the garage footprint exactly, a storm severely damaged a large (invasive) Parasol tree in the northwest corner of the property to the side of the garage. That and a cockroach nest in the tree's core worthy of a scene in an Indiana Jones movie required the removal of the tree. With that additional lot space opened up, my architect and I modified the floor plan to give the Back Porch Tree's ¼ CRZ more room as well as allow more clearance for its trunk which grows to the west.

To accomplish this goal of giving the tree more room, we moved the west wall of the structure 5' to the west, the east wall 3' to the west, and the south wall back 3' toward the north. Because there are two live oaks (14" and 15") within inches of the eastern most wall of the garage, we

moved that wall back 6". Finally, to gain some of the footprint square footage that was lost, we moved the north wall 1'.

Since these plans were originally drawn up, I helped draft and pass a bill to create a Texas Hemp Program for the cultivation and processing of industrial hemp. After learning about the properties of hempcrete and other hemp building materials I decided to alter the plans to utilize as many hemp-based materials as possible to up the R value of the walls and minimize the use of any toxic products. Consequently, the plans are currently being altered to accommodate thicker walls and the different building techniques.

NOTE: This variance was granted in 2019, but expired before the project could start. Thus, the BOA has already approved this request once.

Reasons for the requested variance to LDC 25-2-492 (10' setback) & LDC 25-2-774 (10' setback for secondary dwelling unit)

This neighborhood was originally developed with accessory structures less than 10' from the back lot line

All the surrounding properties with original structures have accessory structures within 10' of the back lot line.

The neighbor to the west (2509 West 5th) has an accessory structure less than 5' from the back lot line which is to the side of my lot.

The neighbor to the north (2507 West 5th) has an accessory structure less than 5' from the side lot line (my back lot line) and less than 4' from the back lot line.

The neighbor to the north (2507 West 5th) also received a variance in 2009 to the side set back to build a deck 3' from the side lot line (my back lot line) to accommodate trees and to build a handicap accessible deck pathway to its back house.

The neighbor to the east (900 Herndon) has both a storage shed and a back house within 5' of the back lot line.

The structure's design takes into account privacy by placing windows on the north wall high on both floors so that it is difficult to see into the neighbor's yard or into the structure from that yard. This is in contrast to the new build at 2505 South 5th which has large windows overlooking the yard at 2507 South 5th.

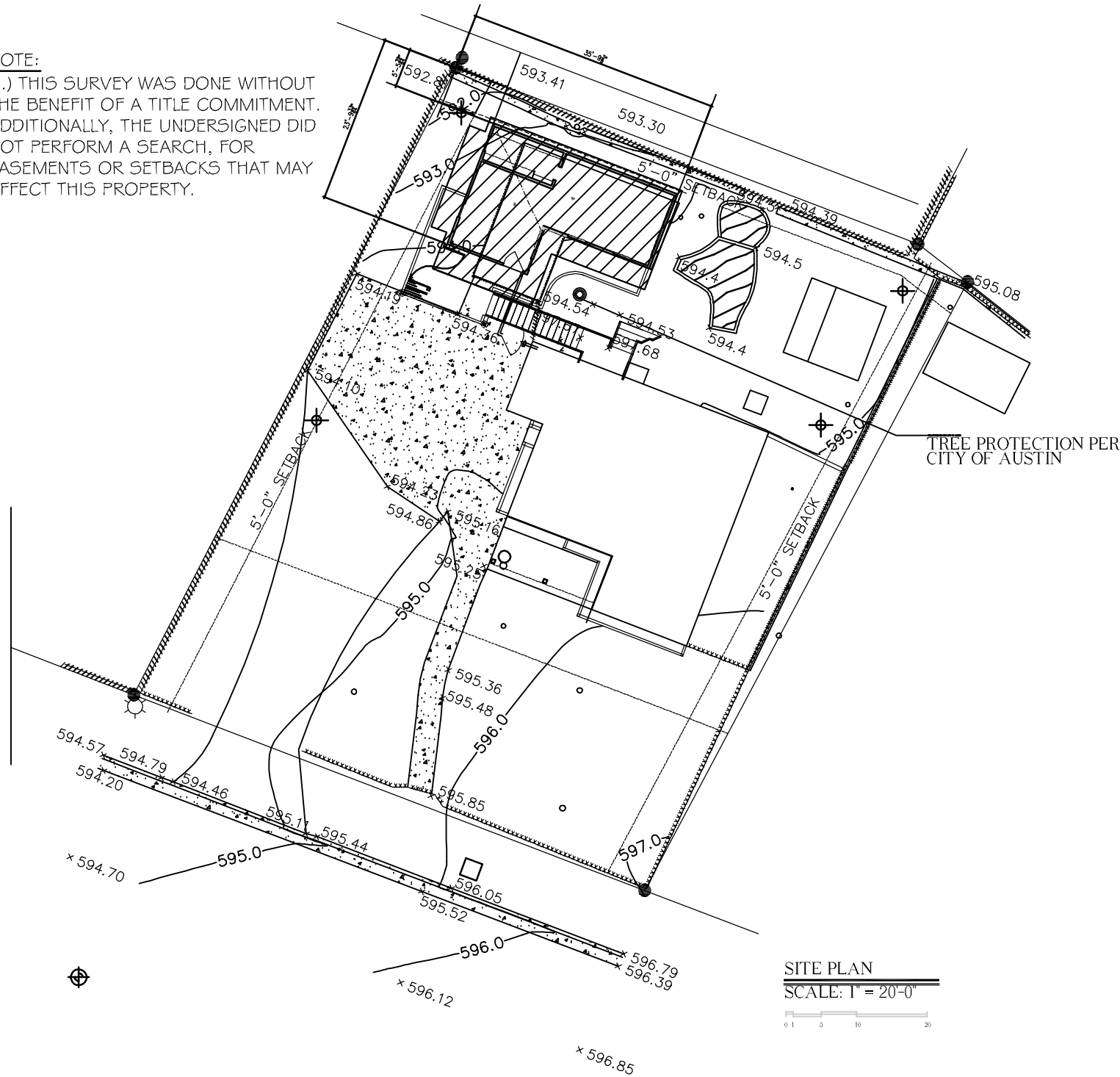
The structure's design orientates ingress/egress and large windows to the south and east to create a courtyard around the Back Porch Tree so that activity is not visible from the neighbors' houses.

D-8/18

THE HERNDON LXHE ADDITION
MANNING ARCHITECTURE 12/7/16



NOTE:
1.) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. ADDITIONALLY, THE UNDERSIGNED DID NOT PERFORM A SEARCH, FOR EASEMENTS OR SETBACKS THAT MAY AFFECT THIS PROPERTY.



SITE PLAN
SCALE: 1" = 20'-0"
0 1 5 10 20

| SUB-CHAPTER F "McMANSION GROSS FLOOR AREA | | | | |
|-----------------------------------------------------------------------------------------------|------------------------|-----------------------|-----------|------------------------|
| AREAS | EXIST. | NEW | EXEMPTION | TOTAL |
| 1ST FLOOR 2ND FLOOR INCLUDES | 915 0 | 401 401 | | 1,316 401 |
| BASEMENT ATTIC GARAGE CARPORT (ATTACHED) ACCESSORY BLDG. CEILINGS OVER 15 FEET | 0 0 0 91 0 | 0 0 0 0 0 | 0 | 0 0 0 91 0 |
| TOTAL GROSS FLOOR AREA | | | | 2,708 |
| FLOOR-TO-AREA RATIO | | | | 2,708/7,768= 34.9% |

| BUILDING & SITE AREA | | | |
|------------------------------------|-------------|------------------------------|------------|
| AREA DESCRIPTION | EXIST. S.F. | NEW/ADDED S.F. | TOTAL S.F. |
| a) 1st FLOOR CONDITIONED AREA | 915 | 401 | 1,316 |
| b) 2nd FLOOR CONDITIONED AREA | 0 | 401 | 401 |
| c) n/a | | | |
| d) n/a | | | |
| e) COVERED PARKING (CARPORT, GAR.) | 0 | 0 | 0 |
| f) COVERED PATIO, DECK OR PORCH | 113 | 0 | 113 |
| g) BALCONY | 0 | 214 | 214 |
| h) OTHER | 0 | 0 | 0 |
| i) UNCOVERED WOOD DECK | 0 | 88 | 88 |
| TOTAL GROSS BUILDING AREA (a-i) | 1,028 | 1,273 | 2,132 |
| j) POOL | | 0 | |
| k) SPA | | 0 | |
| BUILDING COVERAGE INFORMATION | | LOT SIZE= 7,768 | |
| TOTAL BLDG. COVERAGE = 2,132 | | PERCENTAGE OF LOT SIZE=27.4% | |

| IMPERVIOUS COVER | | | |
|---------------------------|----------|-----|-------|
| AREAS | COVERAGE | | |
| | EXIST. | NEW | |
| AREA OF EXIST. HOUSE | 915 | 401 | 1,316 |
| AREA OF EXIST. GARAGE | 339 | 0 | 0 |
| NEW PATIO | 0 | 0 | 0 |
| EXIST. CONC. DRIVE | 777 | 0 | 777 |
| EXIST. GRAVEL DRIVE 701/2 | 351 | 0 | 351 |
| EXIST. CONC. WALKS | 163 | 0 | 163 |
| POND COPING | 26 | 0 | 26 |
| PATIO | 321 | 0 | 321 |
| PADS | 7 | 0 | 7 |
| EXIST. PLANTER WALLS | 18 | 0 | 18 |
| TOTAL COVERED | 3,784 | 0 | 3,969 |
| AREA OF LOT | 7,768 | | 7,768 |
| PERCENTAGE COVERED | 36.4% | | 38.2% |

| SCHEDULE OF DRAWINGS | |
|----------------------|----------------------------------|
| SP-1 | SITE PLAN |
| A-1.1 | FIRST FLOOR PLAN/DEMOLITION PLAN |
| A-1.2 | SECOND FLOOR PLAN |
| A-2.1 | ELEVATIONS |
| A-2.2 | DETAILS AND TYPICAL WALL SECTION |
| A-3.1 | ROOF PLAN |
| E-1 | ELECTRICAL PLANS |
| E-2 | ELECTRICAL PLANS |
| S-1 | FOUNDATION PLAN |
| S-2 | ROOF FRAMING PLAN |
| S-3 | STRUCTURAL DETAILS |
| S-4 | STRUCTURAL DETAILS |

BUILDER TO VERIFY METES AND BOUNDS,
BUILDING LINES AND EASEMENTS PRIOR
TO PERFORMING ANY LOT IMPROVEMENTS.
SEE SURVEY FOR ADDITIONAL INFORMATION

JUNE 16, 2016



EXPIRES 1-31-17

Manning Architecture
4930 Burnet Rd.
Suite 203
Austin, Texas 78756

100% CONSTRUCTION DOCUMENTS

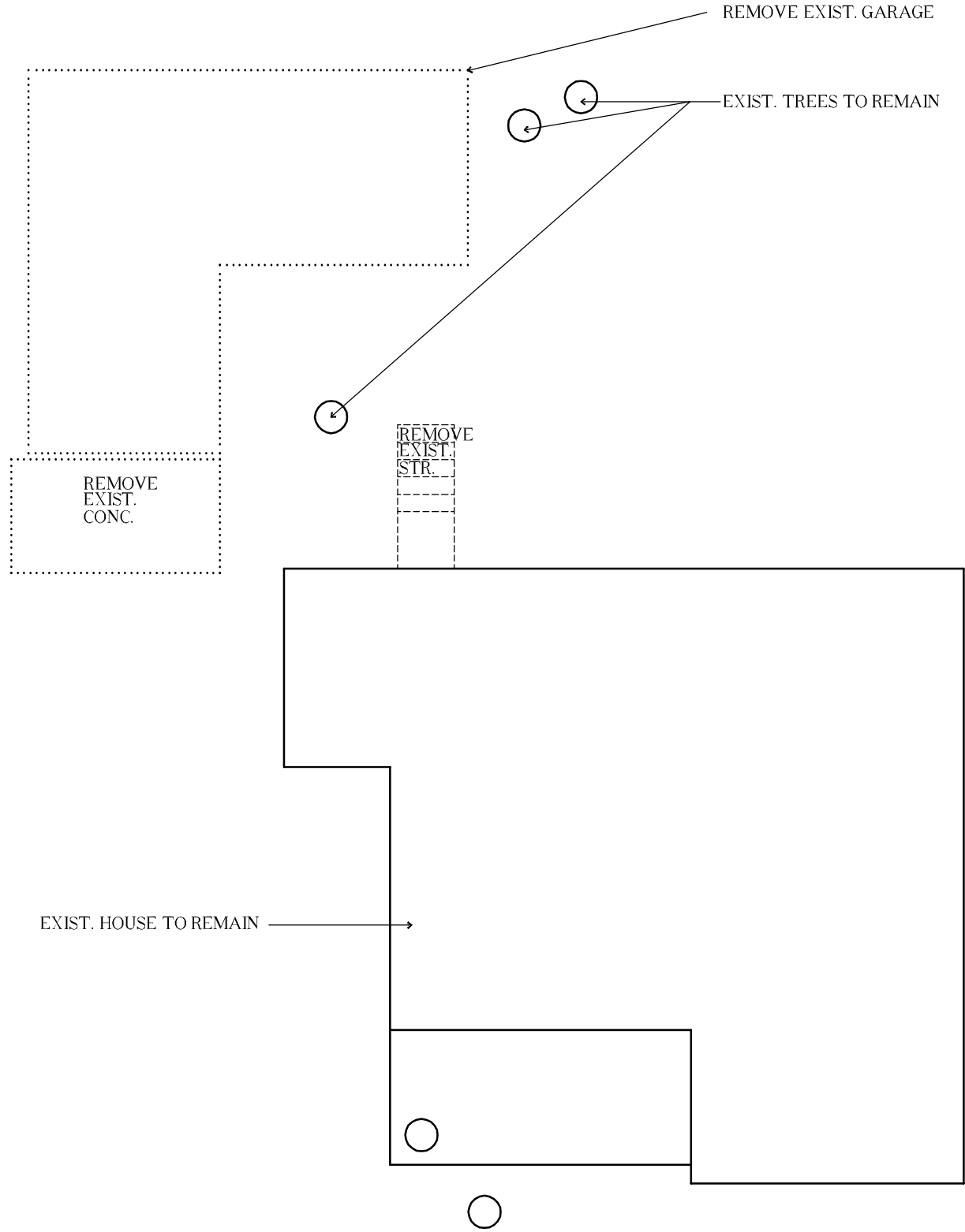
THE HERNDON
ADDITION
HERNDON
AUSTIN, TEXAS

SITE
PLAN

REVISIONS

JUNE 16, 2016

SP-1
OF

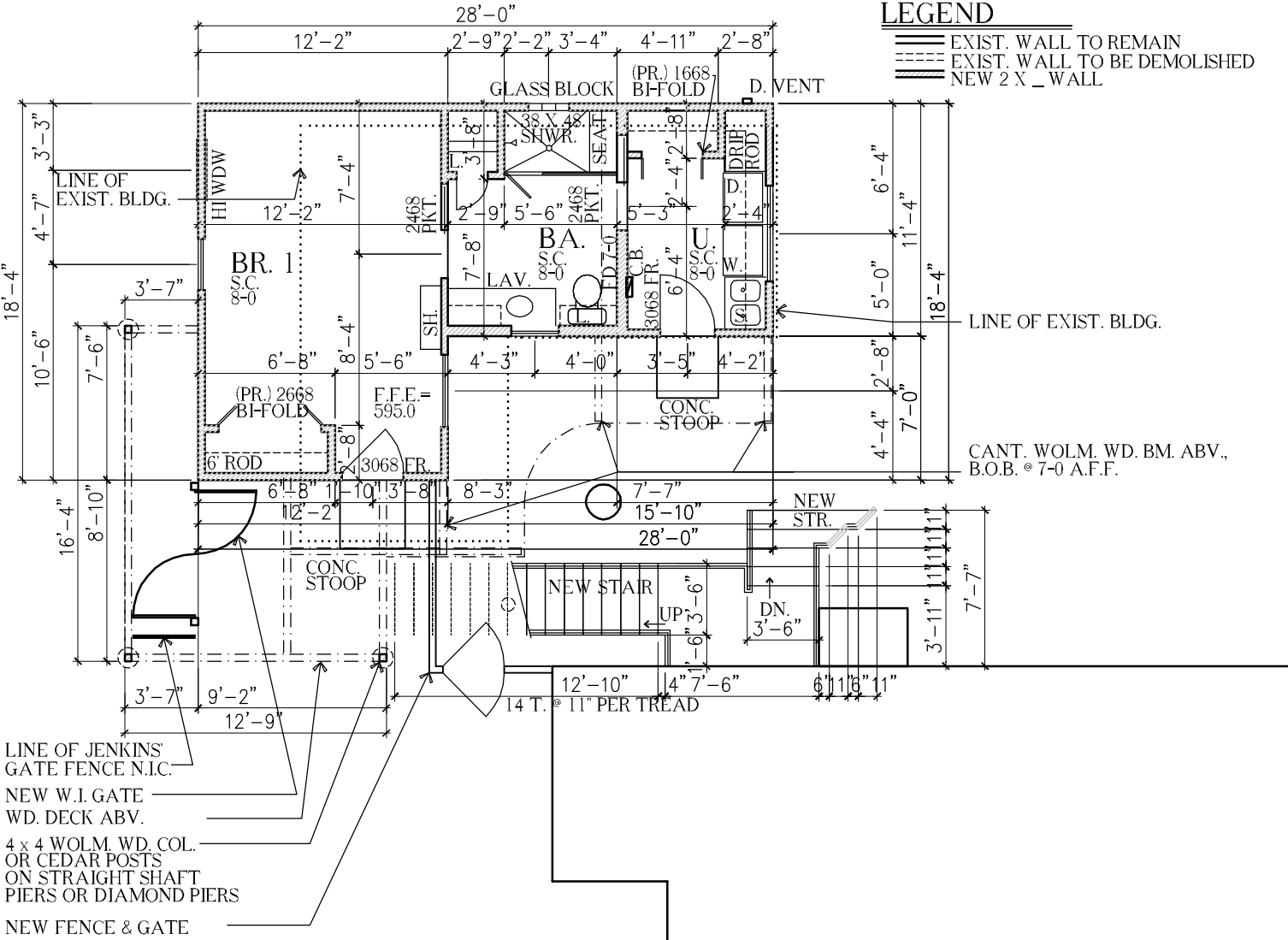
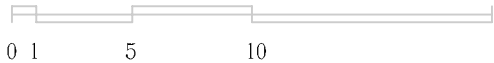


ABBREVIATIONS:
CLG. - CEILING
C.O. - CASSED OPENING
COL - COLUMN
CONC - CONCRETE
CRPT - CARPET
D.V. - DRYER VENT
ELL. - ELLIPTICAL
FD - FURR DOWNN
F.V. - FIELD VERIFY

GWB - GYPSUM WALL BOARD
HB - HOSE BIBB
MAS - MASONRY
OPT. - OPTIONAL
R.A.G. - RETURN AIR GRILL
S.C. - STAINED CONC.
S.R.O. - SHEET ROCK OPENING
S.T. - STONE TILE
TEMP - TEMPERED GLASS
WD - WOOD

FIRST FLOOR DEMOLITION PLAN

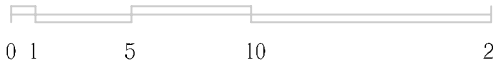
SCALE : 1/8" = 1'-0"



EXIST. HOUSE TO REMAIN

FIRST FLOOR PLAN

SCALE : 1/8" = 1'-0"



JUNE 16, 2016



EXPIRES 1-31-17

100% CONSTRUCTION DOCUMENTS

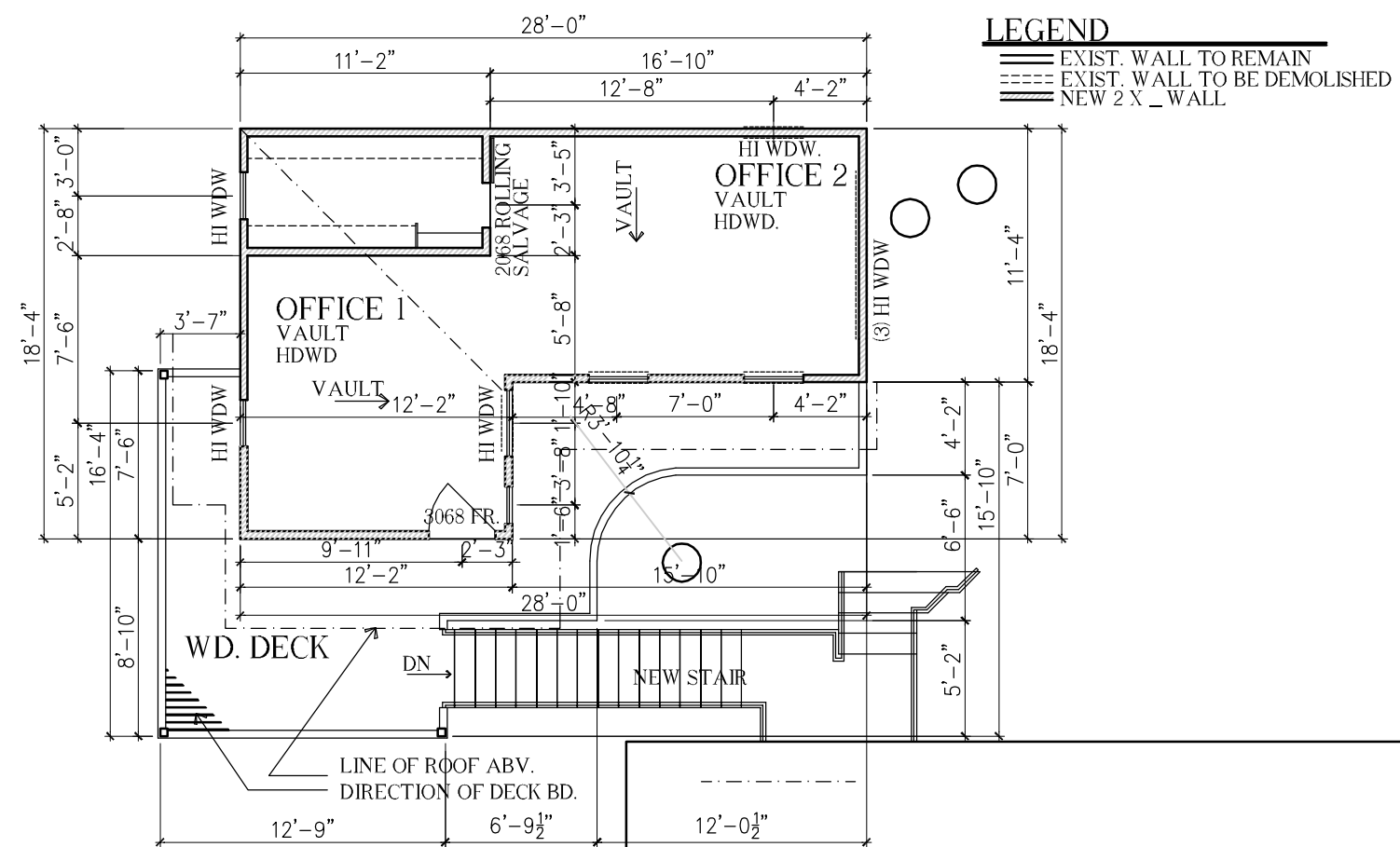
THE HERNDON
LANE ADDITION
902 HERNDON LANE
AUSTIN, TEXAS

FIRST FLOOR
PLANS

| REVISIONS | |
|-----------|--|
| Δ | |
| Δ | |
| Δ | |

JUNE 16, 2016

A1.1



JUNE 16, 2016

EXPIRES 1-31-17

100% CONSTRUCTION DOCUMENTS

THE HERNDON
LANE ADDITION
902 HERNDON LANE
AUSTIN, TEXAS

SECOND
FLOOR
PLAN

| REVISIONS |
|-----------|
| Δ |
| Δ |
| Δ |

JUNE 16, 2016

A1.2

8 -

JUNE 16, 2016



EXPIRES 1-31-17

Manning Architecture
2211 Hancock Dr., #C
Austin, Texas 78756

THE HERNDON
LANE ADDITION
902 HERNDON LANE
AUSTIN, TEXAS

ELEVATIONS

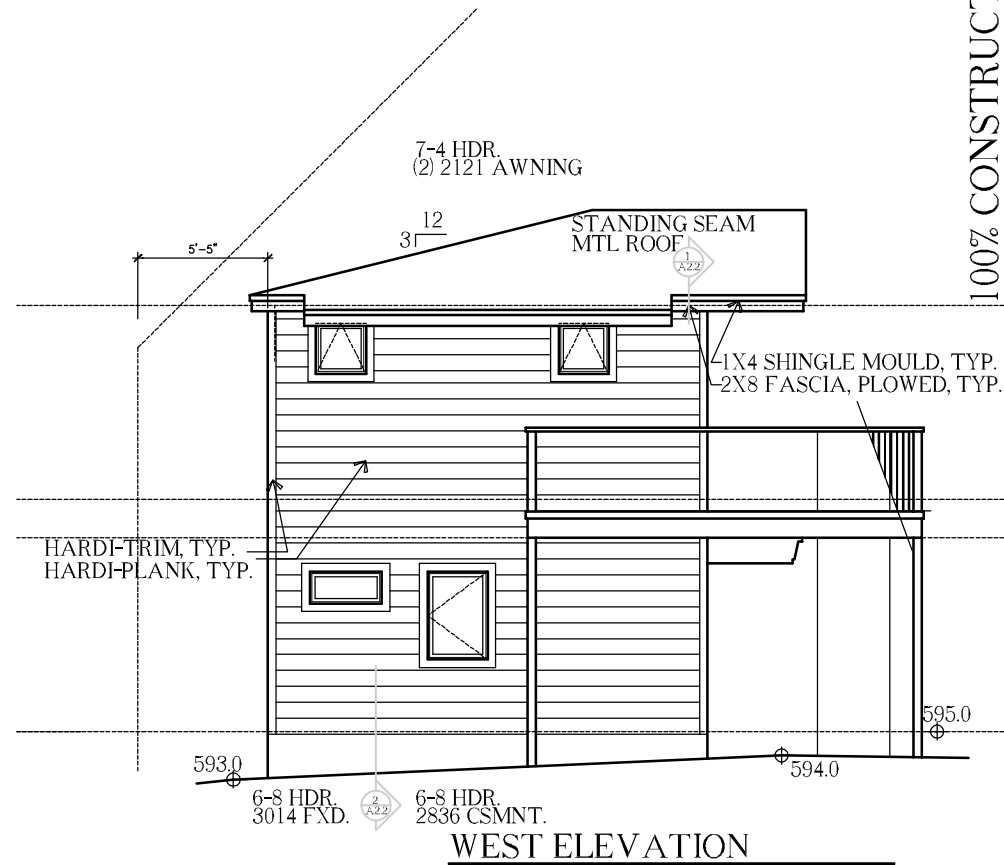
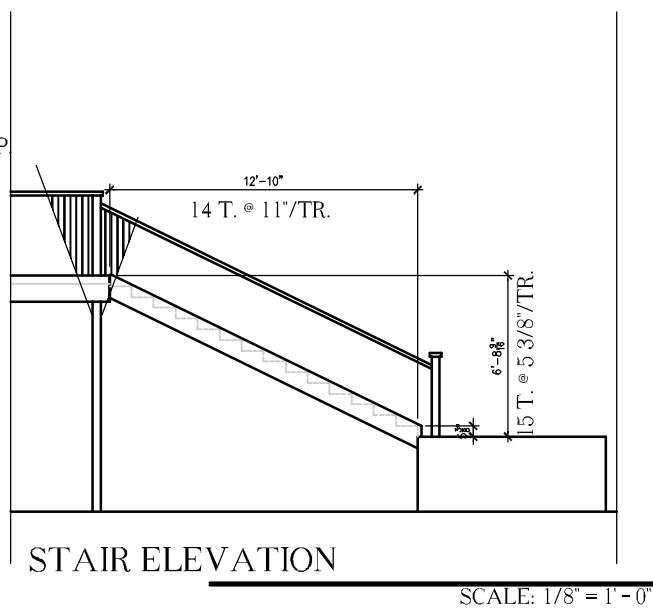
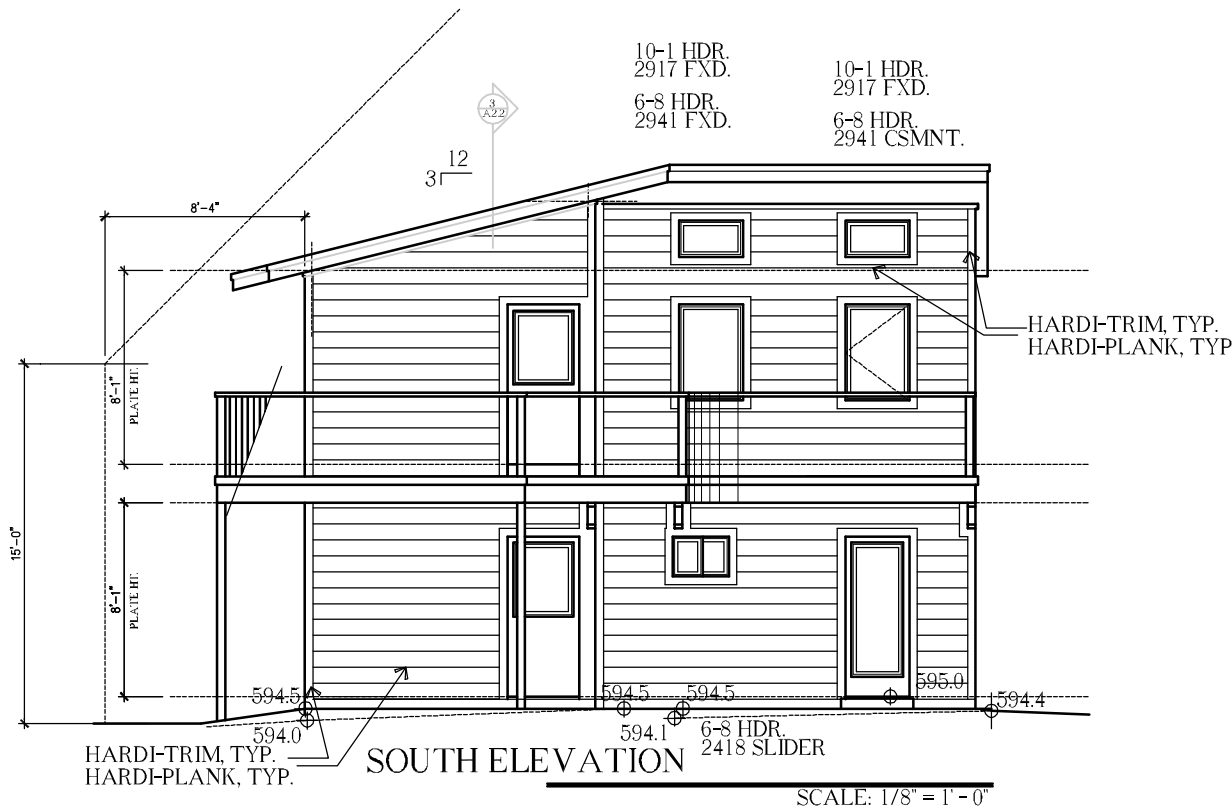
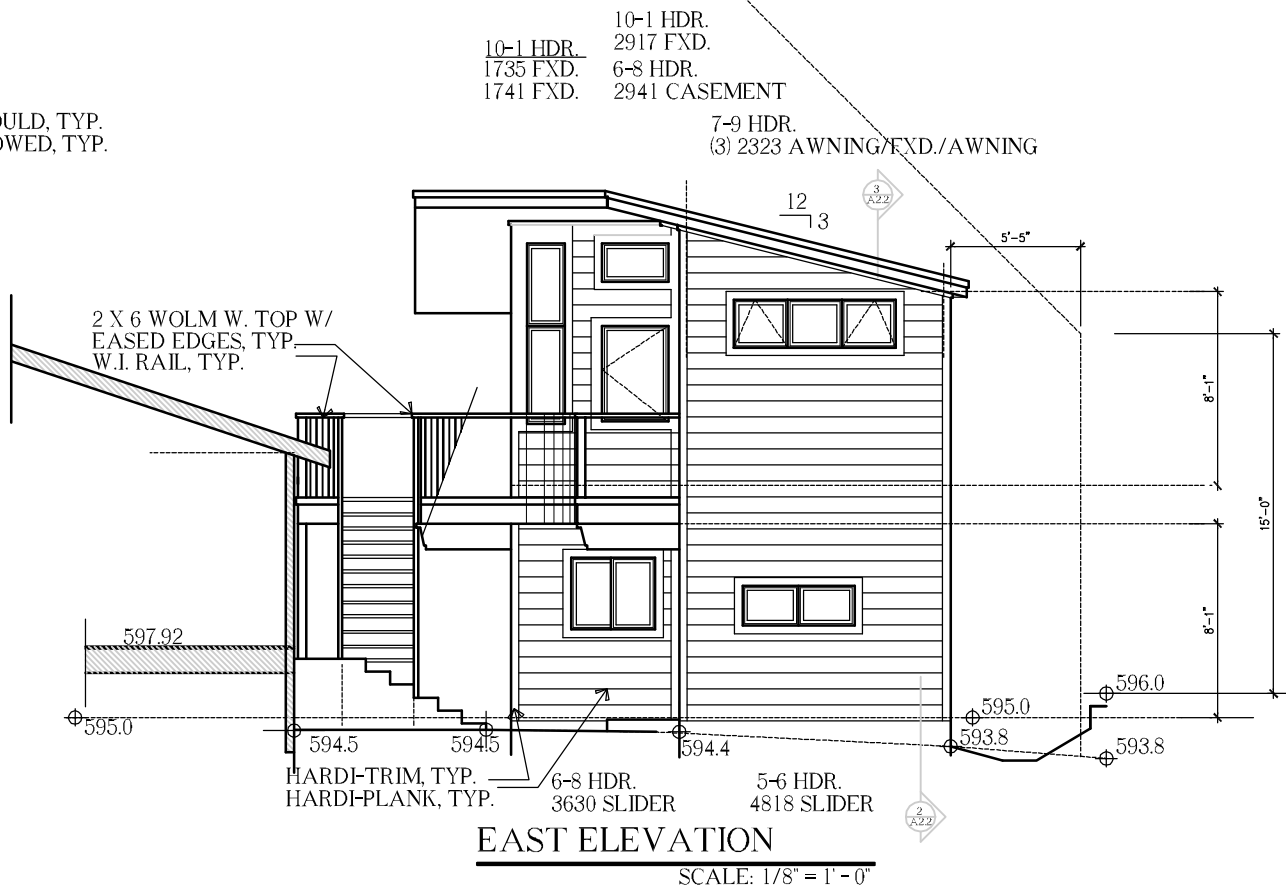
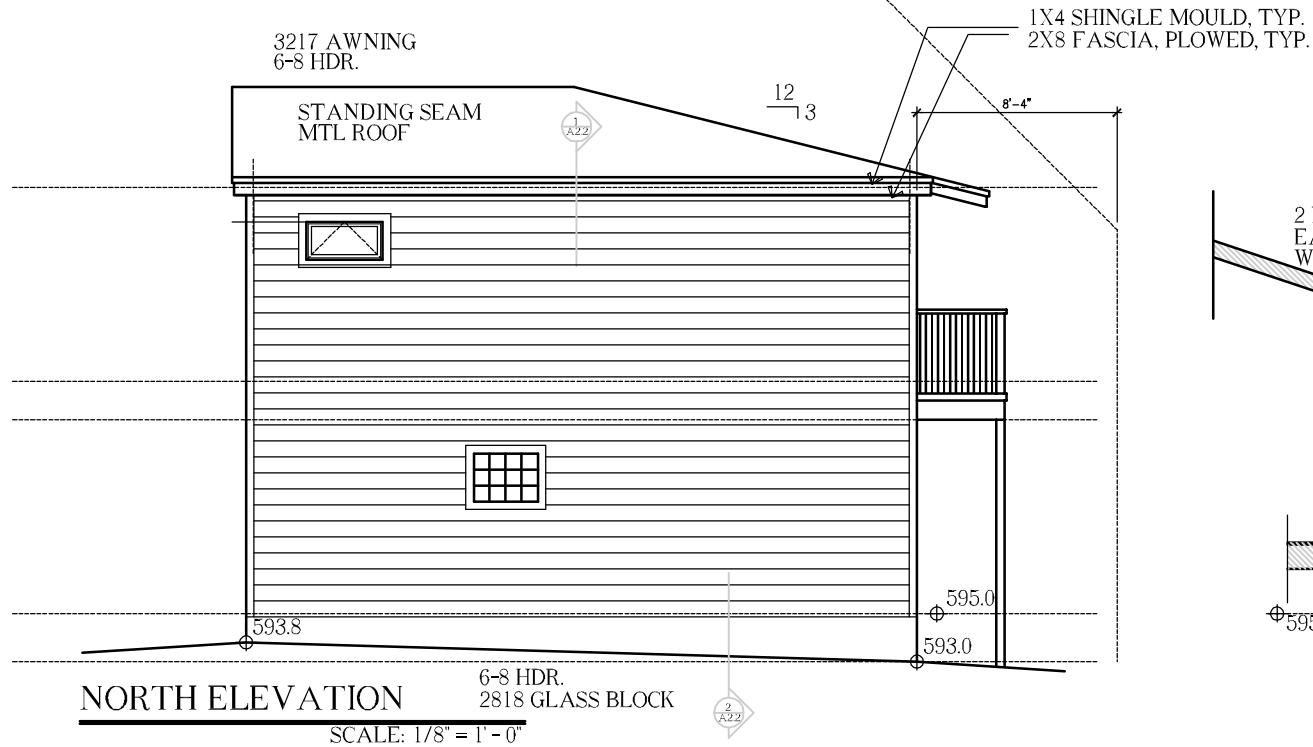
REVISIONS

JUNE 16, 2016

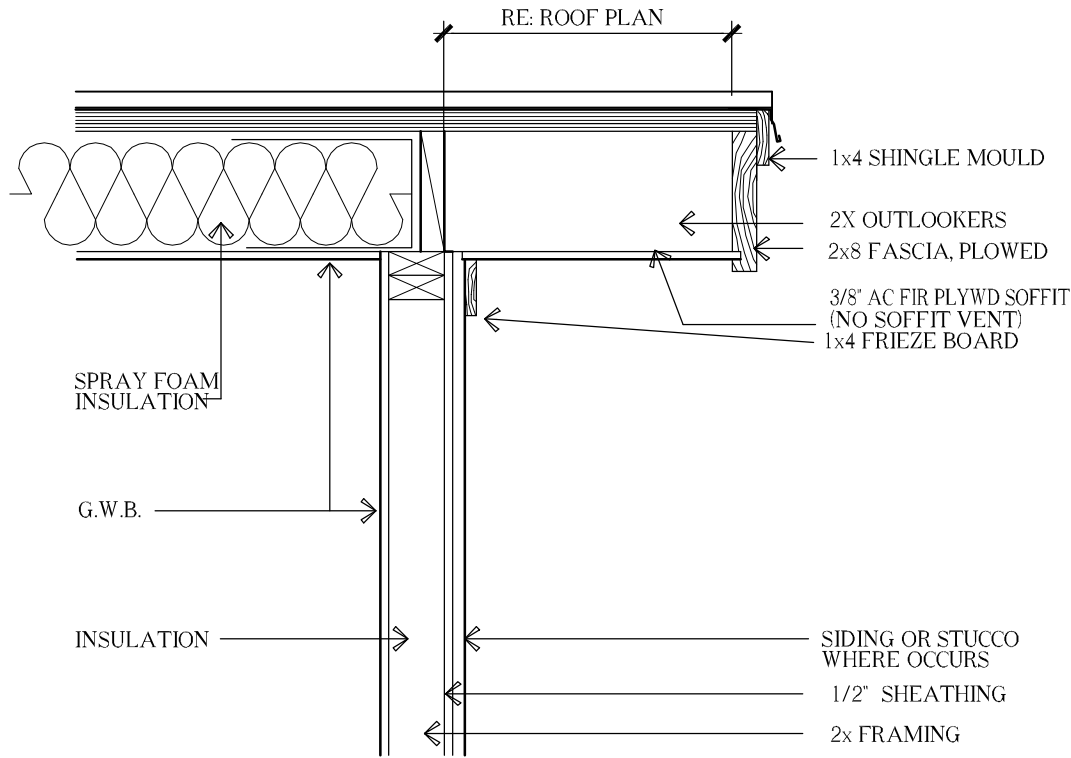
A2.1

of

100% CONSTRUCTION DOCUMENTS

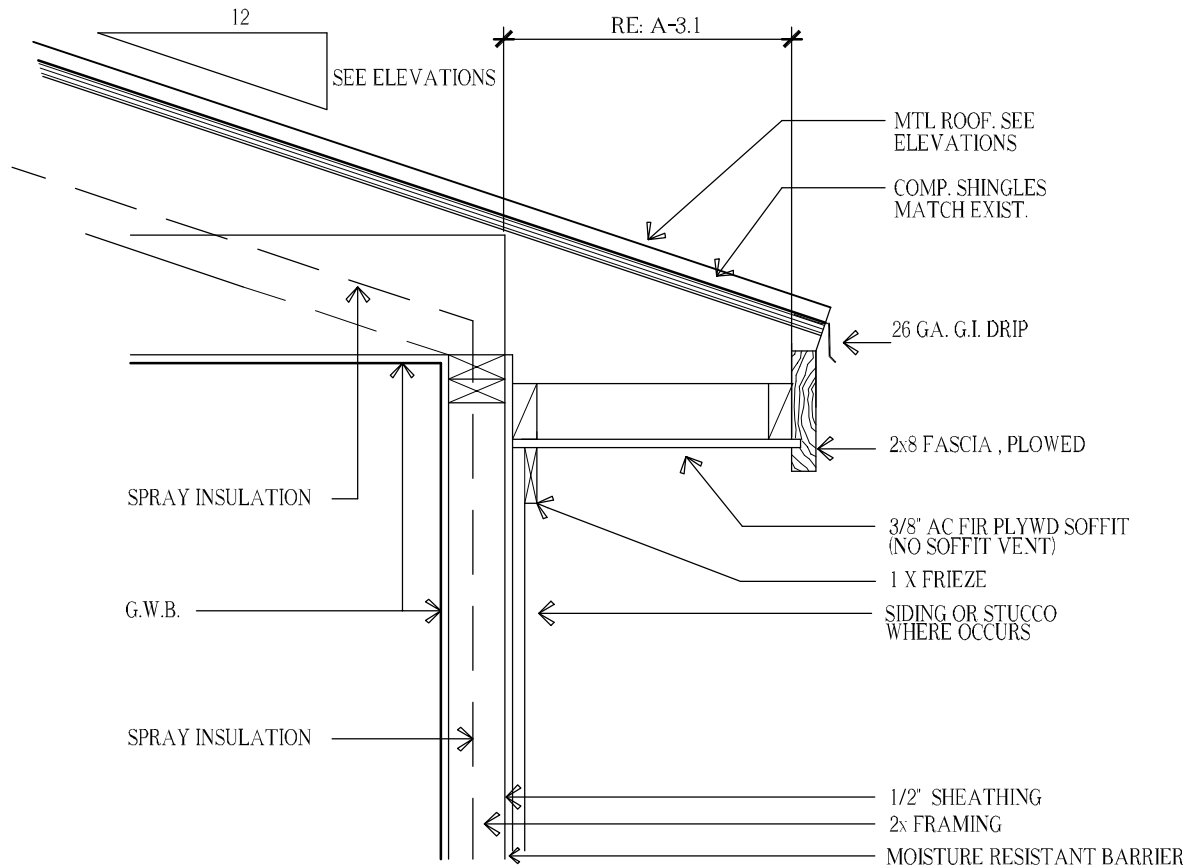


NOTE: BUILDER TO VERIFY THAT ALL EGRESS WINDOWS ARE CODE COMPLIANT.



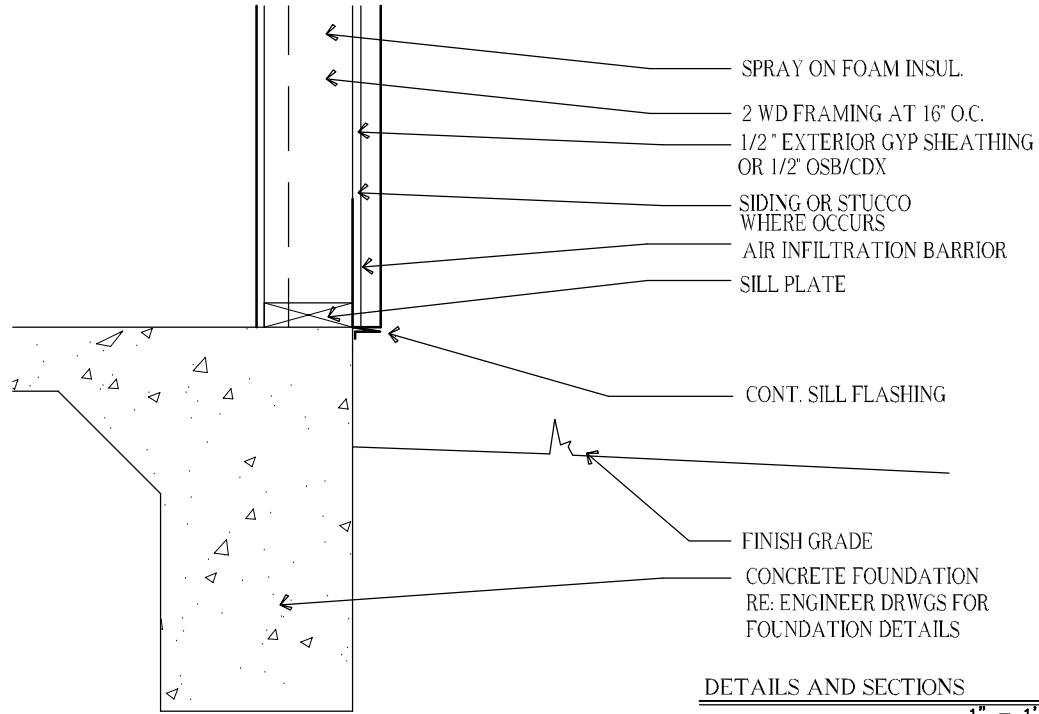
3. SECTION @ RAKE

1" = 1'-0"



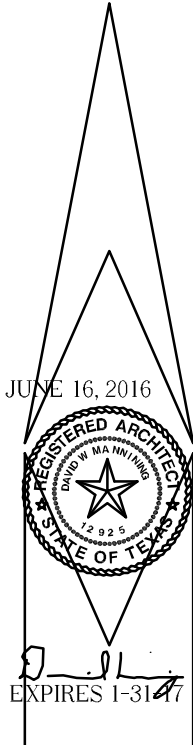
1. FASCIA DETAIL

1" = 1'-0"



2. SILL DETAIL

DETAILS AND SECTIONS
1" = 1'-0"
Copyright © 2016, Manning Architecture



Manning Architecture
2211 Hancock Dr. #C
Austin, Texas 78751
(512) 785 3629

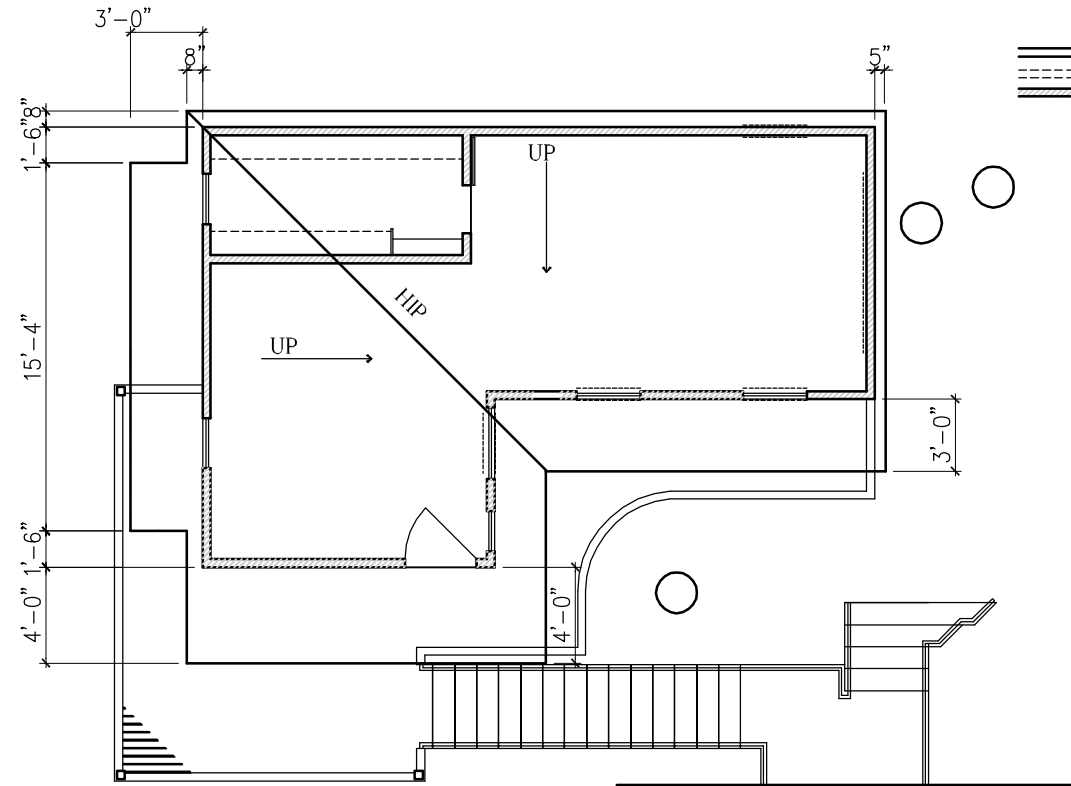
100% WORKING DRAWINGS
THE HERNDON
LANE ADDITION
902 HERNDON LANE
AUSTIN, TEXAS

DETAILS,
TYPICAL
WALL SECTION

| REVISIONS |
|-----------|
| |
| |
| |

JUNE 16, 2016

A2.2
8-1



ROOF PLAN
SCALE: 1/8" = 1'-0"

JUNE 16, 2016



EXPIRES 1-31-17

100% CONSTRUCTION DOCUMENTS

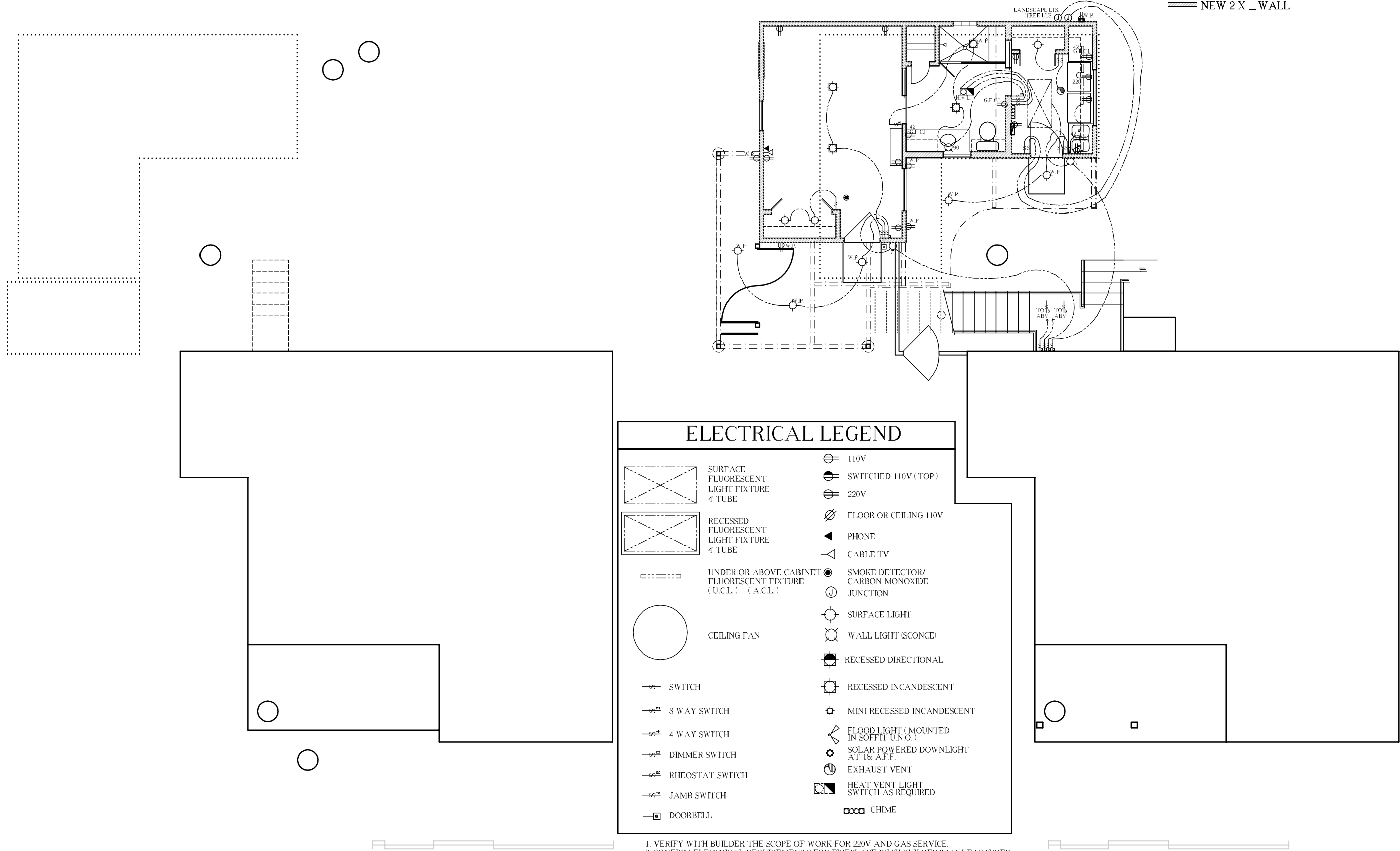
THE HERNDON
LANE ADDITION
902 HERNDON LANE
AUSTIN, TEXAS

ROOF PLAN

REVISIONS

JUNE 16, 2016

A3.1



LEGEND
===== EXIST. WALL TO REMAIN
----- EXIST. WALL TO BE DEMOLISHED
===== NEW 2 X 4 WALL

JUNE 16, 2016

EXPIRES 1-31-17

100% CONSTRUCTION DOCUMENTS

THE HERNDON
LANE ADDITION
902 HERNDON LANE
AUSTIN, TEXAS

FIRST FLOOR
ELECTRICAL
PLAN

| REVISIONS | |
|-----------|--|
| Δ | |
| Δ | |
| Δ | |

JUNE 16, 2016

A4.1
OF 1

1. VERIFY WITH BUILDER THE SCOPE OF WORK FOR 220V AND GAS SERVICE.
2. CONFIRM ELECTRICAL REQUIREMENTS FOR FIREPLACE WITH BUILDER/MANUFACTURER.
3. BLOCK AND BRACE ALL SURFACE FIXTURES AND CEILING FANS.
VERIFY WEIGHT AND SIZE OF FIXTURES WITH MANUFACTURERS.
4. VERIFY LATEST REQUIREMENTS FOR GFCI COMPONENTS.

